

PHILIP MICHAEL FERNANDEZ III,

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the Petition for Writ of Habeas Corpus, all the records and files herein, and the Final Report and Recommendation of the United States Magistrate Judge. The Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

1 Number RIF110327, unless Petitioner is brought to retrial within ninety (90) days of the date the  
2 judgment herein becomes final, plus any additional delay authorized by state law.

3 LET JUDGMENT BE ENTERED ACCORDINGLY.

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5 DATED: 6/12/09

  
6 GEORGE H. KING  
7 UNITED STATES DISTRICT JUDGE  
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